

FILED

MAY 18 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO.: 1:23-CR-19

ROBERT DAVID SIMS and
JOSHUA DAVID SINES,

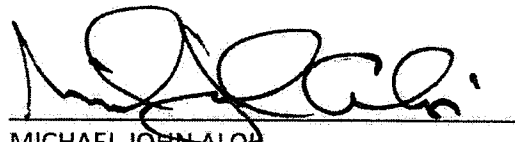
Defendants.

DUE PROCESS PROTECTIONS ACT ORDER
TO ALL COUNSEL REGARDING *BRADY* OBLIGATIONS

Pursuant to the Due Process Protections Act of 2020, the Court reminds the Government's attorneys that under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, failing to disclose favorable evidence to the accused violates due process where the evidence is material either to guilt or punishment. Further, consequences for a Brady violation can include, but are not necessarily limited to, a vacated conviction and disciplinary actions against the prosecutor.

The Clerk of Court is **DIRECTED** to transmit copies of this Order to all counsel of record herein.

DATED: May 18, 2023



MICHAEL JOHN ALOI
UNITED STATES MAGISTRATE JUDGE